

PART 2054 - EMPLOYMENT

SUBPART M - PERSONNEL ACTIONS NEEDING PRIOR APPROVAL OF
NATIONAL OFFICE OR OFFICE OF PERSONNEL

§2054.601 Purpose.

This subpart sets forth the personnel actions processed by State Offices that need approval by the National Office or the Office of Personnel of the U.S. Department of Agriculture (USDA), and the procedures to be used before taking certain personnel actions. The Administrative Officer (AO) or Personnel Management Specialist (PMS) must also follow the Office of Personnel Management (OPM) requirements and the Departmental Personnel Manual (DPM) for the action to be taken and the position to be filled. (See RD Instruction 2009-A for budget requirements and RD Instructions 2048-C and D for position classification.)

§2054.602 Prior approval of the National Office.

(a) Prior approval of the National Office is needed before a personnel action can be taken to:

- (1) Make appointments above the minimum rate based on needs of the Government.
- (2) Appoint visiting professors from 1890 Land Grant colleges.
- (3) Appoint experts and consultants. (See DPM Chapter 304.)
- (4) Fill competitive positions with noncompetitive applicants under 5 USC 3304(c). (Also known as the "Ramspeck Act".)
- (5) Make reimbursable and nonreimbursable details outside the Department. (See DPM Chapter 300, Subchapter 8.)
- (6) Select, reassign, or promote employees to any GM-13 position or to any position with promotion potential to GM-13. Note: The National Office handles all staffing actions for positions at

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grade GM-13, and the Deputy Administrator for Management or the Deputy Administrator for Program Operations will serve as the selecting official for such positions, subject to the concurrence of the Administrator.

(7) Promote an employee based on accretion of duties. (See RD Instruction 2045-C, §2045.104 (b)(7)(i)).

(8) Fill any position in any grade in the GS-341 series. This includes all accessions and position change actions of employees already serving in the series. Note: The Deputy Administrator for Management is the selecting officer for all Administrative Officer GS-341 positions.

(9) Place employees on temporary assignments to State or local governments, institutions of higher education, Indian tribal governments, and other eligible organizations under the Intergovernmental Personnel Act as authorized by 5 CFR 334.101. (See FPM Chapter 334.)

(b) Prior approval of the National Office is needed before the following actions can be taken to:

(1) Authorize payment of travel for interview at the GM-13 grade level and below when the competitive position is unique in terms of duties and responsibilities. (See DPM Chapter 981, Subchapter 5 and FPM Chapter 571, Subchapter 1.)

(2) Authorize payment of travel and transportation to first post of duty when a shortage of eligibles exists. (See DPM Chapter 981 Subchapter 5 and FPM Chapter 571, Subchapter 2.)

Requests of this nature must be accompanied by a letter of justification when submitted to the National Office.

(c) Prior approval of OPM is needed for requests of the following types of action:

(1) Waivers of time-in-grade restrictions as stated in Section 300.602 of the Code of Federal Regulations (CFR) on position changes or transfers to higher grades.

(2) All personnel actions regarding Schedule C positions. (See CFR 213.3301.)

(3) Conversion of noncompetitive employees to career/career conditional appointments. (See FPM Chapter 315, subchapter 6.)

Only the Director of Personnel for the Department of Agriculture can send recommendations for these actions to OPM. Requests for such actions from State Offices or the Finance Office must first be sent to the National Office.

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§2054.605 Procedure for prior approval.

Use Standard Form (SF) 52, "Request for Personnel Action," to ask for prior approval of the National Office or the Office of Personnel. Prepare the form in triplicate. Send the original and one copy to the National Office. Keep one copy in the office requesting the prior approval, to be used in follow-ups. Complete all items in Part A, in Part B complete items 1 thru 4 and 7 thru 22.

Attachments.

- (1) Standard Form 171, "Application for Federal Employment," if the proposed action is an accession or appointment.
- (2) One copy of the position description, if the recommended action is an accession or if a position change is involved.

§2054.606 Review and approval or disapproval.

All recommendations are reviewed by the National Office.

(a) When prior approval of the National Office is needed as in §2054.602 (a) (1) thru (6), approval is given on Form SF-52. The State Administrative Officer or the Finance Office Personnel Officer must ensure

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that all requirements for the action are met prior to implementing the requested action for their respective organizations. Form SF-50, "Notification of Personnel Action," is then used.

(b) When prior approval of the Office of Personnel is needed Form AD-67, "Request for Prior Approval," will be prepared in the National Office. The AO or PMS will be notified of the final action taken.

(c) Form SF-52 is sent back without approval if the National Office has questions on the qualifications or selection of the employee. The AO or PMS will be asked to review the qualifications or to consider the selection again. If the AO or PMS decides that the evaluation is accurate or that the best employee was selected, Form SF-52 can be sent back to the National Office with explanations.

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